

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALEX MORALES,)	
a/k/a Kyle Collins,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 14-1235-SLR
)	
CAROLE CHAPDELAINE, et al.,)	
)	
Defendants.)	

MEMORANDUM

1. **Introduction.** Plaintiff Alex Morales ("plaintiff"), an inmate at the Osborn Correctional Institution, Somers, Connecticut, filed this lawsuit pursuant to 42 U.S.C. § 1983 alleging unlawful arrest and imprisonment. (D.I. 3) He appears pro se and was granted permission to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (D.I. 5) The action is brought against four defendants, all of whom are located in the State of Connecticut. Plaintiff is imprisoned in the State of Connecticut.

2. **Standard of review.** A civil action wherein jurisdiction is not founded solely on diversity of citizenship is properly brought in: "(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action." 28 U.S.C. § 1391(b).

The court may transfer a case “[f]or the convenience of parties and witnesses, in the interest of justice, . . . to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). The court may raise venue and issue a Section 1404(a) transfer order sua sponte. See e.g., *Amica Mut. Ins. Co. v. Fogel*, 656 F.3d 167 (3d Cir. 2011).

3. **Discussion.** Here, it does not appear that any of the events or omissions giving rise to plaintiff’s claims occurred in Delaware. The court notes that plaintiff has pending a petition for writ of habeas corpus in the United States District Court for the District of Connecticut, New Haven Division, *Morales v. Chapalaine*, Civ. No. 13-531-AWT (D. Conn.), filed April 15, 2013. The court considers the allegations in the complaint and finds the interests of justice favor transferring the action to the United States District Court for the District of Connecticut, New Haven Division, where plaintiff and defendants are located and where, based upon the allegations, it appears that all of the events took place.

4. **Conclusion.** For the above reasons, the Clerk of Court will be directed to transfer this action the United States District Court for the District of Connecticut, New Haven Division. The motion for an evidentiary hearing and initial appearance by video teleconference (D.I. 6) will be denied without prejudice to renew. A separate order shall issue.

Date: November 19, 2014


UNITED STATES DISTRICT JUDGE